

**REMARKS**

In the Official Action, the Examiner withdrew the allowance of independent claim 1, set forth certain prior art rejections based on three published European patent applications and rejected independent claim 2 and the claims depending therefrom under the second paragraph of 35 U.S.C. §112. In this last respect, it is the Examiner's apparent position that the term "after a developing process" allegedly makes the claim unclear.

In response to the points raised in the Action, claim 1 has been amended to further define the recording layer as comprising an infrared absorbing agent and a polymer insoluble in water and soluble in alkaline water as described in the specification such as in the passage beginning at page 22, line 15. In addition, claim 2 has been amended to remove the phrase "after a developing process" which should address the §112 rejection. Applicant notes that the defined contact angle of the anodic oxidation coating after a development process is the same as that before the recording layer is provided thereon so that the amendment of claim 2 should remove any perceived indefiniteness with respect to the claim.

Turning to the prior art rejections, none of the cited documents discloses or suggests the presently claimed aspects of the invention. The planographic printing plates defined in the claims have an oxidation coating of from 1000 to 3200 kilograms/m<sup>3</sup> (1.0 to 3.2 g/cm<sup>3</sup>). The importance of this range is illustrated in Table 2 on page 45 of the specification. As may be seen therefrom, when printing plates are prepared with coatings within the range, excellent sensitivity and anti-staining properties can be attained. In contrast, when the coating has a density above the

defined range, inferior sensitivity results because of the decreased thermal insulative property of the support while if the density is below the defined range, the anti-staining property is adversely affected.

The cited European patent publications, namely EP 697 282, EP 716 935 and EP 730 202 do not recognize the importance of the defined range, particularly in the context of the printing plate with a recording layer writable by exposure to an infrared laser. In such a thermal planographic printing plate, an image is formed by using heat that is generated by absorption of IR laser light and this has been underscored in claim 1 by the recitation of an infrared absorbing agent. Accordingly, in a thermal planographic printing plate, the defined lower the density of the oxidation layer provides a lower thermal conductivity of the oxidation coating and more efficient use of the heat for image formation which results in greater sensitivity. In contrast, the three cited European patent publications all relate to image formation using silver compounds which does not rely on heat generated by IR laser light in order to form images. Thus, due to the distinct mechanism of image formation, those of ordinary skill in the art would not expect any improvement in sensitivity by lowering the thermal conductivity of the oxidation coating and there is certainly no recognition in the cited documents of the demonstrated advantages of the defined range. It follows that the distinct thermal planographic plates of the present invention cannot be rejected over the cited European publications which relate to a different technology which relies on a different mechanism for image formation in which sensitivity due to the oxidation coating would not expected to be a factor. Therefore,

applicant respectfully requests reconsideration and withdrawal of the rejections of record.

As a final matter, applicant notes with appreciation that the Examiner has provided the signed citation form from the Information Disclosure Statement filed on July 9, 2004. However, it appears that the Examiner inadvertently did not initial the cited document and applicant respectfully requests that an initialed copy of this document be provided with the next Official Action.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Robert G. Mukai  
Robert G. Mukai  
Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

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